THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 20076 of 2005

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DATED: 13.09.2005

Between:

The Toddy Co.operative Society, Zaheerabad Village and Mandal, represented by its President V.Krishna Mohan Goud, r/o Zaheerabad Village and Mandal, Medak District.

..... PETITIONER

AND

The Prohibition & Excise Superintendent, Medak District at Sangareddy.

.....RESPONDENT

ORDER:

The petitioner-society was granted licences for a depot and for other four toddy shops at Zaheerabad under Rule 4(2) of A.P.Excise (Tapping of Trees and Toddy Shops Special Conditions of Licences) Rules, 1969 (for short "the Rules"). However, the Government of Andhra Pradesh, issued G.O.Ms.No. 551 dated 29.04.2005 omitting Sub-Rule 2 of Rule 4 of the Rules and therefore, the depot licence granted

to the petitioner-society stood cancelled and it had also closed the depot on 30.04.2005 itself and is now running the four toddy shops at Zaheerabad. While so, the respondent issued the orders dated 25.05.2005 alleging that the toddy at the depot and shop No.3 at Manikprabhu Mahella, (which was shifted to Dattagiri Colony near National Highway, zaheerabad with effect from 24.06.2004) of the petitioner-society, was found to be adulterated during inspection and thereby suspended the alleged depot licence and the licences of four shops of the petitioner-society without conducting any enquiry, but no further action is taken place. Hence this writ petition.

Heard learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise.

The respondent has to conduct proper enquiry in accordance with law. Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition directing the respondent to complete the enquiry within a period of one month from the date of receipt of a copy of this order after considering the representation, if any, submitted by the petitioner.

The writ petition, with the above direction, is disposed of. No costs.

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13.09.2005

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